

---

## North Coast Regional Water Quality Control Board

### California Regional Water Quality Control Board North Coast Region

**Order No. R1-2020-0016**

**Rescinding Waste Discharge Requirements Orders and Associated  
Monitoring and Reporting Orders**

**for**

**Virginia Dare Winery**

**Order No. R1-2017-0013 and MRP No. R1-2019-0048,**

**WDID No. 1B83017OSON**

**Sonoma County**

**Mendocino Forest Products Ukiah Sawmill**

**Order No. R1-2014-0003, WDID No. 1B80051OMEN**

**Mendocino County**

**Baywood Golf & Country Club**

**Order No. 94-085, WDID No. 1B91037RHUM**

**Humboldt County**

**Timber Crest Farms**

**Order No. 80-047, WDID No. 1B80047OSON**

**Sonoma County**

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board) finds that:

1. Since the promulgation of the Porter-Cologne Act in 1970, the Regional Water Board has prescribed many Waste Discharge Requirements (WDRs), some of which are no longer applicable, relevant or necessary. The Regional Water Board has the authority to rescind orders where such action is not against the public interest and promotes efficiency in administration of the law.
2. On June 19, 2012, the State Water Resources Control Board (State Water Board) adopted the Onsite Wastewater Treatment Systems (OWTS) Policy (OWTS Policy) under Resolution 2012-0032. The OWTS Policy took effect on May 13, 2013, following the Office of Administrative Law approval. The purpose of the OWTS Policy is to allow the continued use of OWTS, while protecting water quality and public health. The OWTS Policy recognizes that responsible local agencies can provide the most effective means to manage OWTS on a routine basis. It establishes a statewide, risk-based, tiered approach for the regulation and management of OWTS installations and replacements and sets the level of performance and protection expected from OWTS. The OWTS Policy also conditionally waives the requirement for owners of OWTS to apply for and receive WDRs in order to operate their systems when they meet the conditions set forth in the Policy. The conditional waiver, set forth in OWTS Policy section 12.0, was renewed by the State Water Board under Resolution No. 2018-0019.
3. On, September 23, 2014, the State Water Board adopted the General Waste Discharge Requirements for Small Domestic Wastewater Treatment Systems, Order WQ 2014-0153-DWQ (Small Domestic Systems General WDR). The Small Domestic Systems General Permit authorizes discharges of treated domestic wastewater to land from systems with a monthly average flow rate of 100,000 gallons per day (gpd) or less, so long as those discharges comply with all requirements, provisions, limitations, and prohibitions in the Small Domestic Systems General Permit.
4. On January 28, 2016, the Regional Water Board adopted Waste Discharge Requirements for Discharges of Wine, Beverage, and Food Processor Waste to Land, Order No. R1-2016-0002 (WBFP General WDR). The WBFP General WDR authorizes discharges of processing waste to land for the purpose of disposal or reuse so long as those discharges comply with all requirements, provisions, limitations, and prohibitions in the WBFP General WDR. Wine, beverage and food processing facilities eligible to apply for enrollment under the WBFP General WDR includes: wineries, breweries, cider houses, non-alcoholic beverage producers, distilleries, post-slaughter cut and wrap meat processing facilities, fruit and vegetable processors, and dairy product manufacturers. Facilities that discharge combined domestic and process wastewater are not eligible for enrollment under the WBFP General WDR.

5. On April 1, 2014, the State Water Board adopted the National Pollutant Discharge Elimination System Permit (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities, Order 2014-0057-DWQ (Industrial General Permit). The Industrial General Permit authorizes discharges of industrial storm water to waters of the United States, so long as those discharges comply with all requirements, provisions, limitations, and prohibitions in the Industrial General Permit. The Industrial General Permit regulates storm water discharges and authorized non-storm water discharges (NSWDs) from specific categories of industrial facilities, and from facilities designated by the Regional Water Boards to obtain coverage under the Industrial General Permit. The Industrial General Permit does not apply to storm water discharges and NSWDs that are regulated by other individual or general NPDES permits.
6. Regional Water Board staff has determined that WDR Order Numbers R1-2017-0013, R1-2014-0003, 94-85 and 80-047 and associated Monitoring and Reporting Order Numbers R1-2019-0048, R1-2014-0003, 94-85 and 80-047 are no longer applicable, relevant, or necessary and should be rescinded. Discharges regulated under these orders have either ceased or are now covered under one of the following general orders: The Industrial General Permit, the WBFP General WDR, the Small Domestic Systems General WDR, or a conditional waiver pursuant to the OWTS Policy. Details of the discharges regulated under the above referenced orders are provided below in the Discharge Specific Findings Section.

## **Discharge Specific Findings**

### **Virginia Dare Winery**

7. The Virginia Dare Winery is located at 22281 Chianti Road in Geyserville, Sonoma County. The Virginia Dare Winery complex includes a winery, tasting room, restaurant, vineyards, pastureland and a Wastewater Treatment Facility (WWTF). The complex is owned by Francis Coppola Winery and operated by Virginia Dare Winery.
8. The Regional Water Board adopted WDR Order No. R1-2017-0013 for the Virginia Dare Winery WWTF on January 9, 2018. Order No. R1-2017-0013 authorized the discharge and reuse of wastewater from the WWTF to pasturelands and vineyards located within a designated Land Application Area (LLA). The discharge was a combination of treated domestic and process wastewater and therefore was ineligible for enrollment under the WBFP General WDR. Order No. R1-2017-0013 also included a Monitoring and Reporting Program (MRP).
9. On May 30, 2019, Virginia Dare Winery notified the Regional Water Board that it planned to separate its treated domestic and process wastewater streams. Under the new mode of operation, Virginia Dare Winery would divert the treated domestic wastewater to a new subsurface leach field installed west of the WWTF aeration ponds. Process wastewater would continue to be treated by the aerated pond system for reuse on the LLA. Because the discharge to the LLA no longer included

domestic waste, Virginia Dare Winery requested that the process wastewater discharge be authorized through enrollment under the WBFP WDR instead.

10. On September 12, 2019, Virginia Dare Winery notified the Regional Water Board that the leach field had been installed and approved by Permit Sonoma staff for use. Regional Water Board staff visually confirmed the modified operation during an inspection on January 22, 2020 and determined that the process wastewater discharge is now eligible for coverage under the WBF General WDR. Upon confirmation of the modified operation, the Regional Water Board Executive Officer rescinded MRP No. 2017-0013 and replaced it with MRP No. R1-2019-0048, which revised the previous MRP.

On January 22, 2010, Virginia Dare Winery applied for enrollment under the WBFP General WDR for discharging processing waste to land for the purpose of disposal or reuse. Based on information included in the application, Regional Water Board staff determined that the discharge was eligible for enrollment under the WBFP General WDR. A WBFP General WDR Notice of Coverage letter is in the process of being issued to Virginia Dare Winery for the process wastewater discharge. The domestic wastewater discharge to the onsite leachfield automatically falls under the jurisdiction of the County of Sonoma in accordance with the OWTS Policy.

#### **Mendocino Forest Products, LLC Ukiah Sawmill**

11. The Mendocino Forest Products, LLC, Ukiah Sawmill is located at 850 Kunzler Ranch Road in Ukiah, Mendocino County. The Mendocino Forest Products Company, LLC is the owner and operator of the Ukiah Sawmill complex.
12. The Regional Water Board adopted WDR Order No. R1-2014-0003 for the Ukiah Sawmill on June 19, 2014. Order No. R1-2014-0003 authorizes discharges of log sprinkler water and stormwater to an unlined recirculation pond and boiler blow down water to an OWTS that consists of a septic tank followed by a leachfield effluent dispersal system. Order No. R1-2014-0003 also includes a Monitoring and Reporting Program (MRP). The Ukiah Sawmill is also enrolled in the Industrial General Permit (IGP) for the regulation of stormwater and NSWDS within the sawmill complex.
13. On March 7, 2016, Mendocino Forest Products submitted a technical report to the Regional Water Board describing the proposed conversion of the sprinkler water pond system to a closed-loop water recycling system where sprinkler water is contained in a lined recirculation pond, reused, and captured for future sprinkle water reuse. Regional Water Board staff concurred with the proposal. An addendum to the technical report was received in October 2016 that proposed eliminating the discharge of boiler blow down water to the OWTS. Boiler blow down water would instead be conveyed to the closed-loop recycling system for reuse as log sprinkler water. The technical report and addendum work were implemented in September 2018.

14. Regional Water Board staff has determined that the requirements contained in Order No. R1-2014-0003 and MRP No. R1-2014-0003 are no longer needed for the protection of water quality as the discharge of sprinkler water and stormwater to an unlined recirculation pond and the discharge of boiler blown down water to the OWTS ceased.

### **Baywood Golf & Country Club**

15. The Baywood Golf & Country Club (Club) is located at 3600 Buttermilk Lane in Arcata, Humboldt County. The Baywood Golf & Country Club includes a golf course, swimming pool, fitness room, dining room and lounge, and banquet facilities.
16. The Regional Water Board adopted WDR Order No. 94-85 for the Club on June 23, 1994. Order No. 94-85 authorizes the discharge of domestic wastewater to a wastewater treatment and disposal system that consists of a grease trap and three septic tanks prior to disposal to a shallow leachfield. Monthly wastewater flow to the OWTS averages 5,000 gallons per day. Order No. 94-85 also includes a Monitoring and Reporting Program.
17. Regional Water Board staff has determined that the requirements contained in Order No. 94-85 are no longer required because the discharge to the OWTS falls under the jurisdiction of the County of Humboldt, in accordance with the OWTS Policy.

### **Timber Crest Farms**

18. The Timber Crest Farms complex is located at 4791 Dry Creek Road in Healdsburg, Sonoma County. The complex is owned and operated by Rebecca Ruth and Ronald Waltenspiel. The complex consists of a collective of wineries and fruit and vegetable processors and their associated office, retail and tasting room facilities.
19. The Regional Water Board adopted WDR Order No. 80-047 for Timber Crest Farms on April 24, 1980. Order No. 80-047 authorizes the discharge of process wastewater from its food and beverage processing facilities to treatment ponds. Treated process wastewater is land applied for irrigation and dust control. Order No. 80-047 also includes a Monitoring and Reporting Program.
20. On January 9, 2020, Timber Crest Farms applied for enrollment under the WBFP General WDR for discharging processing waste to land for the purpose of disposal or reuse. Based on information included in the application, Regional Water Board staff determined that the discharge was eligible for enrollment under the WBFP General WDR. A WBFP General WDR Notice of Coverage letter is in the process of being issued to Timber Crest Farms for the process wastewater discharge.

THEREFORE, IT IS HEREBY ORDERED that the following WDRs are rescinded: Order No. R1-2017-0013 and MRP Order No. R1-2019-0048 for Virginia Dare Winery; WDR Order No. R1-2014-0003 and MRP Order 2014-0003 for Mendocino Forest Products Ukiah Sawmill; WDR Order No. 94-85 and MRP Order 94-85 for Baywood Golf & Country Club; and WDR Order No. 80-047 and MRP Order 80-47 for Timber Crest Farms.

Ordered by \_\_\_\_\_

Matthias St. John

Executive Officer

20\_0016\_Rescission\_DRAFT